
To: SurgiQuest, Inc. (trademark@eapdlaw.com)

Subject: U.S. TRADEMARK APPLICATION NO. 77601409 - SINGLEPORT - 53472.82920

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[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 77601409

MARK: SINGLEPORT

CORRESPONDENT ADDRESS:

DAVID I GREENBAUM
EDWARDS ANGELL PALMER & DODGE
LLP
PO BOX 130
NEW YORK, NY 10150-0130



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APPLICANT: SurgiQuest, Inc.

**CORRESPONDENT'S
REFERENCE/DOCKET NO:**
53472.82920

CORRESPONDENT E-MAIL ADDRESS:
trademark@eapdlaw.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

ISSUE/MAILING DATE: 1/14/2011

THIS IS A FINAL ACTION.

This Office action is in response to applicant's communication filed on December 22, 2010. In that correspondence, the applicant requested that its amendment to the Supplemental Register be WITHDRAWN. The amendment to the Supplemental Register is no longer an issue. The applicant further traversed the examining attorney's Section 2(e)(1) refusal. After carefully reviewing the arguments, the examining attorney is not persuaded. This Office Action is, therefore, FINAL.

PLEASE NOTE: as the applicant had previously filed a Notification of Appeal, and subsequent Request for Reconsideration, this file will be forwarded to the Trademark Trial and Appeal Board for resumption of the Appeal.

Continuation of Final Section 2(e)(1) Refusal

The refusal under Trademark Act Section 2(e)(1) is now made FINAL for the reasons set forth below. See 15 U.S.C. §1052(e)(1); 37 C.F.R. §2.64(a).

Registration is refused because the applied-for mark merely describes a feature, purpose or function of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); see TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); see *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987).

The applicant seeks to register the mark SINGLEPORT for medical devices, namely, access devices, for use in minimally invasive surgical procedures, namely, laparoscopic, endoscopic, gynecological, urological, thoracic, colo-rectal, and bariatric and general surgery. The mark merely describes a feature, function or purpose of the subject goods.

The applicant asserts that the mark merely describes a type of surgery and does not describe the devices used in that surgery. The examining attorney disagrees. As was shown in previous Office Action evidence, the term "singleport" or "single port" surgery refers to a minimally invasive type of surgery and the devices used for such surgery. Essentially, the surgery allows for a single port of entry, as opposed to the more traditional multi-point entry, for particular surgeries which, in turn, reduces scarring and increases patient recovery time.

As the attached articles from the GOOGLE search database clearly show, the term "single port" surgery device is also commonly used to describe medical instrumentation made specifically for this type of surgery:

- "wikipedia.org" article which indicates that single port access surgeries can be done with general surgical instrumentation but devices specific to this surgery are being made;

- "cambridgeendo.com article" discusses several devices used for single port access surgery;

- "prnnewswire.com" article discusses growing market of single port access devices and one company, Covidien, that has innovated several of these devices;

-“news.spidersurgery.com” article on the efficacy of a particular single port access device vis-à-vis other such devices; and,

-“mrg.net” article that discusses how single port access surgery success has driven the market and sales of single port access surgical devices.

These articles show that single port access specific devices have been developed for single port access surgeries. Moreover, the previously attached evidence indicates that there are specific devices that surgeons use in such surgeries. Thus, the applicant’s assertion that the term refers solely to a type of surgery is incorrect.

Further, words or terms that describe the function or purpose of a product or service may be merely descriptive or generic. TMEP §1209.03(p); *see In re Gould Paper Corp.*, 834 F.2d 1017, 5 USPQ2d 1110 (Fed. Cir. 1987) (holding SCREENWIPE generic for an anti-static cloth used for cleaning computer and television screens); *In re Cent. Sprinkler Co.*, 49 USPQ2d 1194 (TTAB 1998) (holding ATTIC generic for sprinklers installed primarily in attics); *In re Reckitt & Colman, N. Am. Inc.*, 18 USPQ2d 1389 (TTAB 1991) (holding PERMA PRESS generic for soil and stain removers for use on permanent press products).

The function or purpose of applicant’s goods are for use in “single port” access surgery. The term also is descriptive of a characteristic of the goods, in that, there are single port access surgical devices. The mark, SINGLEPORT, is merely descriptive of the subject goods. As such, the examining attorney must refuse registration pursuant to Section 2(e)(1) of the Trademark Act. This refusal is FINAL.

Return to TTAB for Resumption of Appeal

This file will be returned to the Trademark Trial and Appeal Board for resumption of the appeal. The Section 2(e)(1) refusal is MAINTAINED and has been made FINAL.

/Matthew C. Kline/
Trademark Attorney
Law Office 103
(571) 272-9454

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Single port access surgery

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Single port access (SPA) surgery, also known as **laparo endoscopic single-site surgery** (LESS), **single incision laparoscopic surgery** (SILS) or **one port umbilical surgery** (OPUS) or **single port incisionless conventional equipment-utilizing surgery** (SPICES) or **natural orifice transumbilical surgery** (NOTUS), or Embryonic Natural Orifice transumbilical surgery (E-NOTES) is an advanced minimally invasive surgical procedure in which the surgeon operates almost exclusively through a single entry point, typically the patient's navel. SPA surgical procedures are like many laparoscopic surgeries in that the patient is under general anesthesia, insufflated and laparoscopic visualization is utilized ^[1].

The SPA technique has been used to perform various surgeries like appendectomy ^[2], cholecystectomy^[3], nephrectomy,^[4] hysterectomy,^[5] oophorectomy, adrenalectomy, gastric bypass, Nissen fundoplication, hernia repair, splenectomy, colon resection^[6], liver resection, cryoablation, and more. Since the entire **surgery** is performed through the navel, it does not leave any visible scar like a traditional multi-port laparoscopic approach. Surgeons employing this technique contend that patients should benefit from less post-operative pain, less blood loss, faster recovery time, fewer complications, and better cosmetic results.



SPA was adopted by surgeons in Cleveland Clinic for clinical trials^[7] and in the Geneva University Hospital (Switzerland) for visceral **surgery**, which have published numerous paper on this new approach in visceral **surgery**. SPA **surgery** can be done with standard instrumentation. Although a number of other single incision techniques use new instrumentation, most of the SPA surgeries so far in the USA and Europe have used standard instrumentation ^[8].

Contents [hide]

- Equipment
- See also
- References
- External links

Equipment

[\[edit\]](#)

Specialized equipment for SPA **surgery** falls into two broad categories; access ports and hand instrument. There are a number of different access ports including GelPOINT system from Applied Medical, the SILS device from Covidien, the R-Port and TriPort from Advanced Surgical Concepts and the Uni-X from Pnavel. Hand instruments come in two configurations - standard or articulating. Standard hand instruments are rigid in design and were developed over the last 30 years for use in laparoscopy. Articulation is designed to overcome one of the challenges inherent in SPA, decreased triangulation of instrument. A number of factors influence a surgeon's decision to use standard or articulating hand instruments including which access port they use, their own surgical skills and cost as articulating instruments are significantly more expensive than standard instruments. Two companies that manufacture the articulating instruments are Novare Surgical, who makes RealHand and Cambridge Endo , who makes full-line of Autonomy Laparo-Angle articulating instruments  with angle

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locking.

Ergonomic, fully articulating instruments with full range of motion and wide variety of tips is identified by the study to be one of the main driver for the growth. According to the study, among the available articulating instruments in the market, Cambridge Endo's product received the highest satisfaction rating by surveyed current practitioners and potential adopters.

See also

[edit]

- Laparoscopic **surgery**
- Adjustable gastric band
- Natural orifice transluminal endoscopic **surgery**
- <http://www.appliedmedical.com>

References

[edit]

- ↑ Ahmed K, Wang TT, Patel VM, Nagpal K, Clark J, Ali M, Deeba S, Ashrafian H, Darzi A, Athanasiou T, Paraskeva P. The role of single-incision laparoscopic **surgery** in abdominal and pelvic **surgery**: a systematic review. *Surg Endosc*. 2010 Jul 10. [Epub ahead of print] PubMed PMID: 20623239.
- ↑ Ates O, Hakguder G, Olguner M, Akgur FM (June 2007). "**Single-port** laparoscopic appendectomy conducted intracorporeally with the aid of a transabdominal sling suture.". *Journal of Pediatric Surgery* **42** (6): 1071–1074. doi:10.1016/j.jpedsurg.2007.01.065. PMID 17560223.
- ↑ Bucher P, Pugin P *et al.* (December 30 (Epub ahead of Print 2009)). "**Single Port** Access Laparoscopic Cholecystectomy (with video)". *World J Surgery* **33** (5): 1015–9. doi:10.1007/s00268-008-9874-4. PMID 19116734.
- ↑ Novare Surgical Systems, Inc. Announces First Ever **Single Port** Laparoscopic Kidney Removal (Nephrectomy) Using RealHand(TM) HD Instruments - News, Search Jobs, Events
- ↑ Healthcare Sales & Marketing Network News: Novare's Line of Articulating Surgical Tools Allow Full Mobility for 'Keyhole' Hysterectomy
- ↑ Bucher P, Pugin P, Ph Morol (2008). "**Single port** access laparoscopic right hemicolectomy.". *Int J Colorectal Dis* **23** (10): 1013–6. doi:10.1007/s00384-008-0516-8. PMID 18607608.
- ↑ Kaouk JH, Haber GP, Goel RK, *et al.* (January 2008). "**Single-port** laparoscopic **surgery** in urology: initial experience". *Urology* **71** (1): 3–6. doi:10.1016/j.urology.2007.11.034. PMID 18242353.
- ↑ News and Announcements

External links

[edit]

- Information from Drexel University College of Medicine
- [1] Detailed information about Single Incision Laparoscopic **Surgery**
- CambridgeEndo

Categories: **Surgery** | Surgical techniques | Surgical procedures

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“This procedure requires usually 3 to 4 ports to perform laparoscopically because of the tissue dissection and suturing involved, however our new approach allows us to perform the entire procedure through one incision in the belly button. Autonomy™ Laparo-Angle™ enables development of “scar-less” surgeries, and the **single port** laparoscopic sacrocolpopexy is a great example of this enabling power. These **devices** make **single-port surgery** viable, even in the most complex

Laparo-Endoscopic Single Site (LESS) Cholecystectomy Procedures and Commentary:

Dr. Ninh T. Nguyen, M.D.
Associate Professor of Clinical **Surgery**
Chief, UC Irvine, Division of Gastrointestinal **Surgery**

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even in the most complex cases. Making sacrocolpopexy and other similar procedures less invasive and virtually scarless is a great benefit to patients."

Jihad Kaouk, MD

Associate professor and Director of Robotic Urologic **Surgery**

Glickman Urological and Kidney Institute, Cleveland Clinic, Cleveland, OH



Video Publications:

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 Indiana University School of Medicine
 Clarian Bariatric Center

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Prof. Hyun Koo Kim, M.D.
 Korea University Hospital, Seoul, Korea

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Laparoscopic Single-Site **Surgery** (LESS)
 Adjustable Gastric Band
 LESS Adjustable Gastric Band: Slide Presentation
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 Presentation Part 1
 LESS Adjustable Gastric Band: Video
 Presentation Part 2

Single Port Cholecystectomy

Laparoscopic Single-Incision Supracervical
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Single Incision Thoracoscopic **Surgery** for
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Laparoscopic Single-Site **Surgery** (LESS)
Radical Nephrectomy

Single-Port Laparoscopic **Surgery** in Urology:
 Initial Experience, *AUA, 2008*

Single Incision Laparoscopic Renal Cryosurgery

Laparoscopic **Single Port** Partial Nephrectomy in
 Porcine Model

Related Articles and Resources

- The Fundamentals of Laparoscopic **Surgery** (FLS) Simulator as a platform for evaluating **single port** laparoscopic **surgery** and enabling instrumentation, Salman Al-Sabah, Melina Vassiliou, Yo Kurashima, Pepa A. Kaneva, Gerald M. Fried, Liane S. Feldman, McGill University Health Centre, Montreal, Canada, SAGES 2010
- The Learning Curve for **Single Port** Intracorporeal Suturing in a Modified FLS Simulator, Salman Al-Sabah, Melina Vassiliou, Reitan Ribeiro, Yo Kurashima, Pepa A. Kaneva, Gerald M. Fried, Liane S. Feldman, McGill University Health Centre, Montreal, Canada, SAGES 2010
- Laparoscopic **Single Port** Intracorporeal Suturing: Tips and Tricks, Salman Al-Sabah, Melina Vassiliou, Reitan Ribeiro, Yo Kurashima, Pepa A. Kaneva, Gerald M. Fried, Liane S. Feldman, McGill University Health Centre, Montreal, Canada, SAGES 2010
- Laparoscopic Transumbilical Cholecystectomy Without Visible Abdominal Scars, Ninh T. Nguyen, Kevin M. Reavis, Marcelo W. Hinojosa, Brian R. Smith and Samuel E. Wilson, *Journal of Gastrointestinal Surgery*, August 16, 2008
- Making a cost-effective access port for Single Incision surgeries

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- ⌘ Dr. R. Sotelo, Venezuela

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- ⌘ Dr. J. Kaouk, Cleveland Clinic

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- ⌘ Dr. J. Kaouk, Cleveland Clinic

Transvesicle Prostatectomy

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Single-Port Laparoscopy Poised to Double Over the Next Year

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Significant Commercial Opportunity Lies in the Development of Novel **Devices** that Can Convince More Surgeons to Adopt **Single-Port** Laparoscopy, according to Millennium Research Group

TORONTO, October 18 /PRNewswire/ -- According to Millennium Research Group (MRG), the global authority on medical technology market intelligence, a combination of increased volume from current practitioners and growth in the number of surgeons performing the technique will drive the **single-port** laparoscopy market to over 100% growth over the next year, and to high double-digit growth past 2011. Surgeons who currently perform **single-port surgery** are forecasting a 40% increase in their volumes within the next 6 months, while over 50% of non-practitioners anticipate adopting the technique within the next two years.

MRG's data show a number of factors are driving the rapid rise in **single-port** laparoscopy, including growing patient awareness, novel **devices**, and increased surgeon experience. 75% of physicians see **single-port** laparoscopy as generally unknown in the general public, leaving significant room to drive more patient demand. In addition, importance score data suggest that new **devices** -- with improved ergonomics, range of motion, and diversity of tips -- are a critical factor in convincing skeptical surgeons to try the procedure. Finally, current practitioners are becoming more comfortable with the technique and are implementing it in new procedures and more difficult cases.

"Single-port lap is the hottest topic in surgery these days," says Matthew Runnalls, Physician Forum Product Manager. **"Our data shows that not only are current users expecting huge procedure growth in just the next 6 months, but that potential adopters are waiting for new devices -- not new data -- before they jump into the fray. This is a tremendous opportunity for device companies."**

The **single-port** laparoscopy market is currently dominated by Covidien, both in the access port and articulating instrument segment. MRG's new data suggest that there is still tremendous room for innovation in the market. Covidien's momentum will allow the company to maintain a dominant position for the near future, as long as it continues its aggressive product development. Nonetheless, new competitors from both traditional laparoscopy markets and new start-ups are challenging the market leader with innovative products.

MRG's new Physician Forum publication, *The Rise of Single-Port Laparoscopy*, investigates physician opinion from 60 current users of **single-port** laparoscopy and 100 potential adopters. The publication also includes a newly updated and more detailed forecast for the **single-port** laparoscopy market.

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forecast for the **single-port** laparoscopy market.

Webinar

On Wednesday, October 20, at 11:00 am eastern time, MRG is offering a complimentary webinar with the author of *The Rise of Single-Port Laparoscopy*, Product Manager Matthew Runnalls. Mr. Runnalls will present an overview of findings from MRG's new study and host a brief Q&A session. Please contact Amy Krohn at 416-364-7776 ext. 101 or akrohn@mrg.net to register.

About Physician Forum

Physician Forum assesses physician opinions to get a sense of how market dynamics will shift in response to major events or trends. Publications feature direct feedback from relevant specialists and insight into the impact of events on specific markets. Publications are based on physician interviews and stakeholder surveys.

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MIAMI SURGEONS FIND SUCCESS USING SINGLE-INCISION SPIDER SURGICAL SYSTEM

MIAMI - As internationally recognized pioneers in advanced surgical techniques, Dr. Juan-Carlos Verdeja and Dr. Jorge Rabaza have evaluated single-incision platforms claiming to make it easy to operate solely through the patient's belly button - only to discover that, in actuality, they didn't.

That is, until Verdeja and Rabaza tried the TransEnterix SPIDER® Surgical System.

Since beginning to use the SPIDER Surgical System in April, Verdeja has experienced such positive results that he has adapted the platform for use in all medically appropriate patients. Verdeja and Rabaza, both of whom perform **surgery** at South Miami Hospital, have now compiled the largest case experience with the SPIDER system anywhere in the world.

The difference between SPIDER and other single-incision forerunners, Verdeja said, is that SPIDER actually provides surgeons the capabilities they need to perform operations safely and easily through a single incision.

"The visualization of the operating field is vastly superior in SPIDER compared to other single-port devices," he said. "Using SPIDER, I can effectively open up the surgical field and see anatomical structures to my comfort level, which allows me to work in a safe and effective manner."

SPIDER is the only surgical system in the world that allows a surgeon to operate through a patient's belly button while simultaneously providing intra-abdominal triangulation for improved visualization and dexterity within a three-dimensional operative field.

"The device gives the surgeon the ability to triangulate inside the abdomen from a single, small incision," Rabaza said. "Triangulation is critical for achieving appropriate angles that maintain good surgical principles."

Here's how SPIDER works: The surgeon makes one small incision within the patient's belly button and inserts the SPIDER Surgical System through it. Once SPIDER is inside the patient's abdomen, the surgeon deploys it, much like the way an umbrella opens. Deployment creates an expanded and accessible three-dimensional operating field that allows the surgeon to clearly see the patient's anatomy, and also retract, dissect, transect, ligate and electro-cauterize tissue.

When finished, the surgeon closes the system - again, like an umbrella - and removes SPIDER through the same single incision. SPIDER's deployment technology is not available in any other surgical device today.

<http://webcache.googleusercontent.com/search?q=cache:M8meSamvB8sJ:news.spidersurgery.com/2010/07/miami-surgeon-s-find-success-using-single-incision-spider-surgical-system/+%22single+port%22+surgery+devices&cd=39&hl=en&cl=clnk&q=us> 01/14/2011 10:17:47 AM

By hiding the single incision within the patient's belly button – which is, itself, a natural scar – Verdeja said he hopes to improve the patient's cosmetic outcome, cause less pain and help the patient return to normal activity faster.

In addition to its unique deployment technology, SPIDER contains four working "channels" through which the surgeon inserts a camera and instruments. Two of the channels are flexible, providing surgeons with true left and true right instrumentation – a marked contrast to other instruments used in **single-port surgery** that make a surgeon cross his or her hands to operate.

Verdeja said he initially assumed SPIDER would primarily benefit patients cosmetically, but he quickly saw additional tangible benefits.

"Quite frankly, I was surprised by the patient benefits, as my subjective experience has been that SPIDER patients do extremely well with recovery," he said. "They get up and move around faster, return to work faster and require less pain medication."

Patient recovery following SPIDER **surgery** has been so impressive, Verdeja said, that he and Rabaza are establishing data by which they can quantifiably measure SPIDER's benefits as compared to traditional laparoscopic techniques.

Zoila Painter, one of Verdeja's patients, recently underwent SPIDER **surgery** to remove her gallbladder. As a registered nurse who works on a hospital unit, Painter cares for patients recovering from traditional laparoscopic **surgery**. She says her own recovery experience seemed much better than what she normally sees on the job.

"With traditional laparoscopic **surgery**, even in the best-case scenario, you still end up with four or five puncture incisions spread throughout the abdomen," she said. "I can't even tell that I had **surgery**. I saw my family physician today and she asked me, 'Where's your incision? Where's your scar?' because she couldn't see it. It's incredible."

Painter says that she was quickly able to get up and begin moving around, which is critically important to fast recovery.

"I really do believe that the speed of my recovery and the amount of pain involved were an improvement over the typical patient experience," she said.

Verdeja and Rabaza – among the first surgeons in the United States who have adopted SPIDER – say the platform offers tremendous potential for advancing minimally invasive **surgery**. Within weeks of its release, surgeons have used SPIDER to successfully perform operations including colon cancer **surgery**, removing kidneys and gallbladders, applying gastric bands and treating hernias.

"SPIDER is an entirely new platform that will be very adaptable in advancing **single-port** techniques," Verdeja said. "I can see it being used to successfully treat a variety of disease states in multiple surgical specialties."

South Miami Hospital is one of the first hospitals in the world to offer patients advanced minimally invasive **surgery** with SPIDER. South Miami Hospital is a Magnet Hospital for nursing excellence and recently received the prestigious Governor's Sterling Award for 2010. The award recognizes organizations in Florida that meet or exceed the highest standards for organizational performance.

The 467-bed South Miami Hospital is part of Baptist Health South Florida, the largest not-for-profit health-care organization in the region.

TransEnterix, a fast-growing medical device company, partners with leading medical thought-leaders to rapidly develop pioneering technologies that advance minimally invasive **surgery**. To learn more, visit www.spidersurgery.com.

http://webcache.googleusercontent.com/search?q=cache:A1o6Ku1Fe8BJ:www.mrg.net/News-and-Events/IQ-Industry-Insight/single-port-lap.aspx+single+port+surgery+devices&cd=7&hl=en&ct=clnk&gl=us 01/14/2011 10:22:17 AM

This is Google's cache of <http://www.mrg.net/News-and-Events/IQ-Industry-Insight/single-port-lap.aspx>. It is a snapshot of the page as it appeared on Jan 9, 2011 18:02:23 GMT. The current page could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **single port surgery devices**

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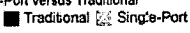


IQ Industry Insight

"Scarless" Surgery Drives Laparoscopic Device Sales

3/18/2010

While minimally invasive surgical techniques have long been the driving force behind device development across all therapeutic areas, laparoscopy is one of the first specialties to achieve "invisible scar" surgery. Increasingly in-demand among cosmetically conscious US patients, laparoscopic single-port procedures are growing in volume, and the laparoscopy device manufacturers are racing to develop the best tools for the job.

US Laparoscopic Procedures, Single-Port versus Traditional
3.5 

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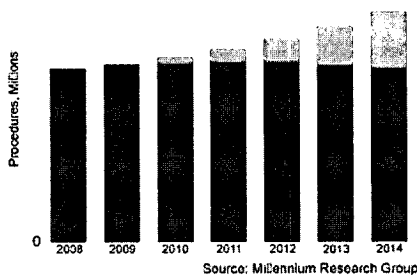
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So recent is the technique that only a few **devices** designed specifically for **single-port** laparoscopy are available. Valued at less than \$10 million in 2009, patient demand, physician training programs, and new product launches will push revenues in the laparoscopic **single-port** device market to exceed \$340 million by 2014.

Laparoscopic **single-port** techniques can be used in a variety of procedures, including cholecystectomy, appendectomy, hysterectomy, gastric banding and more. During these procedures, the surgeon operates exclusively through a **single** incision in the patient's navel, leaving just one barely-visible scar. Advantages of laparoscopic **single-port** procedures extend beyond the purely cosmetic, however: many surgeons who employ this technique believe that patients benefit from less postoperative pain, reduced blood loss, faster recovery time, and fewer postoperative complications.

Media coverage of this new technique has been extensive, particularly after laparoscopic **single-port surgery** was named one of the most important medical innovations of 2009 by the prestigious Cleveland Clinic. Patient demand for procedures using these techniques has escalated as a result, and medical device companies are moving to fill the unmet need. Currently there are few **devices** specifically designed for use in a laparoscopic **single-port** procedure, but launches are on the horizon for the coming years.

Given that the procedure is still in its infancy, not many physicians are trained in the techniques. Nevertheless, demand will ensure that physicians continue to seek out training and manufacturers provide robust education programs. Covidien, for example, already regularly conducts training sessions in **single-port** laparoscopy across the US. Thus far, events such as these have been well attended, suggesting a strong desire among surgeons to understand the most current developments in laparoscopic **surgery**.

<http://webcache.googleusercontent.com/search?q=cache:A1o6Ku1Fe8BJ:www.mrg.net/News-and-Events/IQ-Industry-Insight/single-port-lap.aspx+single+port+surgery+devices&cd=7&hl=en&ct=clnk&gl=us> 01/14/2011 10:22:17 AM

Single-port laparoscopy does have its detractors, however. Some surgeons are skeptical of its benefits beyond the cosmetic, believing that patients could face a greater risk of complications due to the complexity of the technique. The **single**, small incision makes surgeon manipulation of instruments more difficult, particularly when the surgical site is further away from the incision. This adds to the complexity of the procedure and increases the learning curve associated with laparoscopic **single-port surgery**. Upcoming clinical trial data are, however, expected to assuage some of these concerns. In April 2009, Covidien launched a study to assess the feasibility and safety of performing **single-port** laparoscopic cholecystectomy and monitor and compare the outcomes of **single-port** laparoscopic cholecystectomy versus traditional laparoscopic cholecystectomy. The release of results from this study—expected in September 2011—will significantly drive the adoption of **single-port** laparoscopy in surgical practices if they are favorable.

Given the market potential and the unmet need, competitive dynamics in the **single-port** laparoscopy market are shifting. In the articulating hand instrumentation segment, Novare Surgical and CambridgeEndo are already well positioned for growth. In 2009, several leading manufacturers introduced laparoscopic **single-port** products to the US market: Applied Medical introduced its GelPOINT advanced access platform, Covidien launched its SILS **Port** Multiple Instrument Access **Port**, and Olympus/Gyrus-ACMI released its InPort and QuadPort access **devices**. In the coming months, the laparoscopic **single-port** market is expected to become even more competitive. TransEnterix is expected to launch its SPIDER (**Single Port** Instrument Delivery Extended Reach) System in 2010. Ethicon Endo-**Surgery** is also expected to enter this market, having published supporting data from two clinical studies on its multiport access device.

To accompany their product launches, these companies will expand their marketing activities, fueling device and procedural growth at a compound annual growth rate of more than 13.7% through 2014. With its vast market potential and untapped revenue opportunity, the **single-port** laparoscopy market is sure to generate even more patient, physician, media, and manufacturer interest in the coming years. **IQ**

To: SurgiQuest, Inc. (trademark@eapdlaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77601409 - SINGLEPORT - 53472.82920
Sent: 1/14/11 10:44:09 AM
Sent As: ECOM102@USPTO.GOV
Attachments:

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

**USPTO OFFICE ACTION HAS ISSUED ON 1/14/2011 FOR
SERIAL NO. 77601409**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this **link** or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable **response time period**. Your response deadline will be calculated from **1/14/2011** (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System Response Form.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the ABANDONMENT of your application.

To: Atria Senior Living Group, Inc. (abb@gdm.com)

Subject: U.S. TRADEMARK APPLICATION NO. 77781262 - SENIOR
QUARTERS - 033248.05546

Sent: 1/9/2011 8:00:39 PM

Sent As: ECOM103@USPTO.GOV

Attachments: [Attachment - 1](#)
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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 77781262

MARK: SENIOR QUARTERS



CORRESPONDENT ADDRESS:

BRIAN W. CHELLGREN
GREENEBAUM DOLL & MCDONALD
PLLC
101 S 5TH ST
LOUISVILLE, KY 40202-3157

CLICK HERE TO RESPOND TO THIS LETTER:
<http://www.uspto.gov/teas/eTEASpageD.htm>

APPLICANT: Atria Senior Living Group,
Inc.

**CORRESPONDENT'S
REFERENCE/DOCKET NO:**

033248.05546

CORRESPONDENT E-MAIL ADDRESS:

abb@gdm.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 1/9/2011

THIS IS A SUBSEQUENT FINAL ACTION.

SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes the nature of applicant's services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); *see In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987). Moreover, a mark that identifies a group of users to whom an applicant directs its goods and/or services is also merely descriptive. TMEP §1209.03(i); *see In re Planalytics, Inc.*, 70 USPQ2d 1453, 1454 (TTAB 2004).

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); *see, e.g., In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of "computer programs recorded on disk" where relevant trade used the denomination "concurrent" as a descriptor of a particular type of operating system). "Whether consumers could guess what the product is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

In this case, Applicant's mark is "SENIOR QUARTERS" for "providing assisted living facilities; providing independent living residences and living facilities". The mark is immediately descriptive because it conveys without ambiguity the nature of Applicant's services, namely, that Applicant provides "living residences/facilities" or QUARTERS, for elderly individuals, or "SENIORS". In other words, Applicant provides SENIOR QUARTERS. See attached evidence from the internet which show use of the term "LIVING QUARTERS" or "QUARTERS" in the context of SENIOR or elderly living facilities.

"A mark may be merely descriptive even if it does not describe the 'full scope and extent' of the applicant's goods or services." *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004) (citing *In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 1346, 57 USPQ2d 1807, 1812 (Fed. Cir. 2001)); TMEP §1209.01(b). It is enough if the term describes only one significant function, attribute or property. *In re Oppedahl*, 373 F.3d at 1173, 71 USPQ2d at 1371; TMEP §1209.01 (b).

Two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to avoid the possibility of costly infringement suits brought by the trademark or service mark owner. *In re Abcor Dev. Corp.*, 588 F.2d 811, 813, 200 USPQ 215, 217 (C.C.P.A. 1978); TMEP §1209. Businesses and competitors should be free to use descriptive language when describing their own goods and/or services to the public in advertising and marketing materials. See *In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001).

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

/janice kim/
Trademark Examining Attorney
Law Office 103
Phone - (571)272-8869
Fax - (571)273-8869

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/mailling date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

http://webcache.googleusercontent.com/search?q=cache:AdBYnhe6BcJ:www.cityofhornell.com/departments/assessor.html+%22senior+living+quarters%22&cd=1&hl=en&ct=clnk&gl=us 01/03/2011 07:40:54 PM

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These search terms are highlighted: **senior living quarters**

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Hornell City Assessor's Office

Important Dates

January 1st: Taxable Status Date

Last date to file ALL exemptions. For specific exemptions, see information below.

February 15th: Tentative Roll Date

All new assessment changes will be applied to this tentative draft of the tax roll.

First Week of March: Grievance Proceedings

Grievance Proceedings will be March 4, 2010 at 9:00 am - 12:00 noon, 1:00 pm - 4:00 pm and 6:00 pm - 8:00 pm by appointment only. Please call 324-7421 ext. 213 to schedule an appointment. Forms are available at the Assessor's office.

April 15th: Final Assessment Roll Date

Exemptions

COUNTY

[Veteran's Alternative](#), [Veteran's Eligible Funds \(RPTL 458\)](#) or [Cold War](#) To receive information or an application for these exemptions, please contact your local Veteran's

Assessor's Office

Vicki Dempsey, Assessor
vdempsey@cityofhornell.com

Cindy Burdell, Assistant
cburdell@cityofhornell.com

Phone: (607) 324-7421
Mail: 82 Main Street
PO Box 627
Hornell, New York 14843
FAX: (607) 324-3150

The assessor's office is located on the second floor of City Hall.

<http://webcache.googleusercontent.com/search?q=cache:Ad8Vnhe6BcJ:www.cityofhornell.com/departments/assessor.html+%22senior+living+quarters%22&cd=1&hl=en&ct=clink&gl=us> 01/09/2011 07:40:54 PM

information or an application for these exemptions, please contact your local veteran's counselor.

Low-Income Disability (RPTL 459) A tax reduction is available for owner-occupants with disabilities AND an income limit on a sliding scale not to exceed \$30,900. Proof of ownership, income verification and one of the following letters is required by the Assessor for this application: Award letter from Social Security Administration, Award letter from Railroad Retirement Board, or Certificate from State Commission for the Blind and Visually Handicapped.

Senior Citizens (RPTL 467) The Senior Citizens exemption is a reduction, based on a sliding scale, off County tax. To be qualified for this exemption, at least one owner-occupant must be 65 years or older AND total household income of \$22,500 to \$30,900. Proof of age, income verification, and proof of ownership must be presented at the time of application.

Construction for Senior Living Quarters (RPTL 469) The Construction for Senior Living Quarters exemption qualified the property owner an exemption not to exceed 20% of the assessed value for reconstruction or new construction to provide living quarters for a parent or grandparent who is 62 years of age or older.

Business Investment Exemption for Commercial Properties (RPTL 485B) A Sliding Scale exemption for improvements exceeding \$10,000 for commercial properties.

CITY

Veteran's Alternative, Veteran's Eligible Funds or Cold War To receive information or an application for this exemption, please contact your local Veteran's counselor.

Senior Citizens (RPTL 467) The Senior Citizens exemption is a 50% reduction off City tax. To qualify for this exemption, at least one owner-occupant must be 65 years or older AND total household income cannot exceed \$18,000. Proof of age, income verification, and proof of ownership must be presented at the time of application.

Business Investment Exemption for Commercial Properties (RPTL 485B) A Sliding Scale exemption for improvements exceeding \$10,000 for commercial properties.

Construction for Senior Living Quarters (RPTL 469) The Construction for Senior Living Quarters exemption qualified the property owner an exemption not to exceed 20% of the assessed value for reconstruction or new construction to provide living quarters for a parent or grandparent who is 62 years of age or older.

Residential Capital Improvement (RPTL 421(F)) Residential property with new construction in excess of \$3,000.00 but not to exceed \$50,000.00 exemption for the new construction decreasing \$12.5% annually for a period of eight (8) years.

SCHOOL

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[Fair Assessments-A Guide for Property Owners and other Recommended Publications](#)

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Basic STAR (RPTL 425) This exempts the qualified property owner from paying taxes up to the first \$30,000 of their property assessment based on the State Equalization Rate. The exemption is available to all owner-occupants regardless of age or income.

Enhanced STAR (RPTL 425) This exempts the qualified property owner from paying taxes up to the first \$60,100 of their property assessment based on the State Equalization Rate. At least one owner-occupant must be 65 years or older and total household income must not exceed \$74,700. Proof of age, income verification, and proof of ownership is required.

Senior Citizens (RPTL 467) The Senior Citizens exemption is a sliding-scale reduction off School tax. To qualify for this exemption, at least one owner-occupant must be 65 years or older AND total household income cannot exceed \$18,200. Proof of age, income verification, and proof of ownership must be presented at the time of application.

Business Investment Exemption for Commercial Properties (RPTL 485B) A Sliding Scale exemption for improvements exceeding \$10,000 for commercial properties.

Income Verification: Copy of previous year's tax return. If you do not file tax returns income verification is still required. Copies of bank statements, retirement records, and/or social security payment records can be used for this purpose.

Owner Occupant: You must be an owner AND resident of the property you are submitting an application for as an "owner-occupant".

Proof of Age: Copy of driver's license or birth certificate.

Proof of Ownership: Copy of deed or mortgage.

Note: All exemption and grievance application forms are available in the Assessor's office. The Assessor's office is located on the second floor of City Hall.



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Penton The care component: hotel firms apply their expertise to the care and continuity senior living quarters require. (The Graying of America)

Article from: **Lodging Hospitality** | Article date: **November 1, 1990** | Author: **Wolff, Carlo**

THE CARE COMPONENT

Hotel firms apply their expertise to the care and continuity **senior living quarters** require.

A growing number of hotel chains, prompted by changing demographics, are delving into the business of senior living. It's a business with many similarities to the traditional hotel business, and Hyatt and Marriott, as well as a number of smaller operators, are testing the senior-living waters. Manor Care Inc., owner of Choice Hotels International, runs various kinds of senior living facilities, including nursing homes.

Special fixtures are important, but not crucial, to residences for the elderly, says an expert in the field.

"A residence for the elderly is more than adding ramps and door handles instead of knobs," says Albert Bush-Brown. "It's not too difficult to design an individual apartment. How you fit them together without long corridors and in an amenable, social way is tricky."

In conjunction with hospitality health care authority Dianne Davis, Bush-Brown is writing *Hospitable Design for Health Care and Senior Communities*.

One reason hotel companies are getting into the senior living act is demographics. By the year 2000 there will be more people 65 years and older than there are at the entry level of the work force, says Bush-Brown.

The elements of senior living complexes are a residential nature, with dining facilities; nursing care, from assistance to the skilled, or around-the-clock, level; common spaces like what one might find on a college campus; and a life-care contract. If a facility has all these elements, it's a Continuing Care Retirement Community, or CCRC.

Bush-Brown says there are about 600 CCRCs around the country, mostly in the Sunbelt and the Northeast.

Classic Residence by Hyatt, with projects open in Chicago; Teaneck, NJ; Chevy Chase, MD; Reno; Dallas; and Monterey, CA, offers various services for seniors.

"A hotel is a commercial place," says Penny Pritzker, president of Classic Residence by Hyatt. "We're

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"A hotel is a commercial place," says Penny Pritzker, president of Classic Residence by Hyatt. "We're trying to create a homey feel—not like a nursing home but like your living room or your dining room."

At five of the six Classic Residences (the Chicago property has an entry fee of \$20,000 to \$40,000, depending on unit size; \$10,000 covers the first 100 days of nursing care, if necessary), monthly rental covers a long-term care policy so if a client needs nursing care, rent covers a portion of that cost. "We feel it's very important that we offer that continuity of care," Pritzker says. All Classic Residences are near hospitals, monthly rental fees are \$1,300 to \$4,000 and most of the clientele is more than 70 years old.

"We're offering someone security," Pritzker says. "We're not necessarily taking someone who needs skilled nursing care. We're taking healthy, mature adults who want security in their surroundings. They don't want to cook anymore, maybe. Or they don't want to drive and they're looking for more of a service component that can be easily arranged to fit their life."

Such projects may be risky in the short run, primarily because of the current real-estate market. But the long-term outlook is good, she says. "The population in the United States is aging and there's a continuing need for an alternative to staying in one's home or going to a nursing home."

Classic Residence began about four years ago. "We saw this as a growth market and thought we could bring our expertise in service, and new levels of quality, to an industry that had been developer-driven as opposed to service- and operations-driven," Pritzker says.

All Classic Residences are residentially based. "Remember-somebody's house. You want to live near the grocery store, not the office building," Pritzker says.

The Marriott Corp. formed its Senior Living Services division in 1984 and has built the Fairfax in Alexandria, VA, and the Quadrangle in Haverford, a Philadelphia suburb.

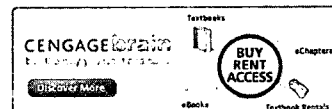
Brian Swinton, the division's vice president of product development, says the Washington, DC-based firm also manages several senior-living communities. So far, Marriott has been involved with second-generation retirement communities, places for "people who have or desire some services."

Places like Sun City are first-generation retirement communities—in effect, municipalities that people move to and that are primarily made up of retirees, Swinton says.

Marriott deals in independent full-service senior living and in catered-living complexes. The latter feature various levels of care, which come with the package. Marriott's catered-living complexes are called Brighton Gardens. Three just opened, in the Arizona communities of Sun City and Phoenix and in Virginia Beach, VA.

Each contains about 100 assisted-living and personal-care apartments and another 30 skilled-care units. Most clients are single women more than 62 years old, and the monthly fee runs \$50 to \$60 a day. That covers three meals, all utilities except telephone, an average of 45 minutes of personal care, housekeeping and linen and transportation services.

Health care isn't covered, but each complex is adjacent to a nursing home also run by Marriott, Swinton says.



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There is a Brighton Gardens under construction in Houston and there are plans for 20 more. Like Hyatt's Pritzker, Swinton stresses the need to make the facility feel like home. "People do not want to move very far from their home at the age of 82," he says.

Marriott also builds independent full-service facilities called Stratford Court, basically continuum of care communities with 200-250 independent apartments, 60 percent of them one-bedroom, the rest two-bedroom.

Stratford Courts, where monthly rentals are \$1,000 to \$2,500, are under construction in Boca Raton and the Tampa-St. Petersburg areas of Florida. Another eight sites are under option or contract, Swinton says.

Brighton Gardens cost \$7 million to \$10 million to construct, Stratford Courts \$10 million to \$25 million. Swinton says many retirement communities Marriott has planned will be put on hold because of the weak real-estate market. Marriott plans to reduce its capital expenditures by half next year, to about \$650 million.

In Augusta, GA, about 160 miles east of Atlanta, is Brandon Wilde, a retirement complex with 174 independent units. The \$26-million project is a joint venture of St. Joseph's and University Hospitals, the area's main health providers, and was brought to completion by Flautt Properties of Memphis.

Charlotte Petrides, senior designer with Atlanta firm Designers II, says the hospitals wanted a residential touch for Brandon Wilde.

That's why they tapped into her firm, which has done work for Hilton, Holiday Inns, Ramada Inn, Sheraton and Days Inns.

Designers II tried to combine residential-type furniture with fabrics, accessories and artwork that would give Brandon Wilde the feeling of a "fine private home or country club," Petrides says. The firm even designed a combination chair rail-hand rail that looks like a chair rail rather than the more institutional hand rail. And the firm was careful to paint the health care areas in peach and rose, colors more complimentary to skin tones than the conventional green.

"We were called in because of the need to make this a gracious, home-like atmosphere," Petrides says. "They wanted a certain atmosphere, a certain elegance, a certain quality of life that they felt a hospitality firm could give the project."

PHOTO : Swinton: Marriott stresses services.

PHOTO : At Brandon Wilde, graciousness and elegance give senior living a residential appeal.

PHOTO : Bush-Brown: Fit all the elements.

CARLO WOLFF ASSOCIATE EDITOR

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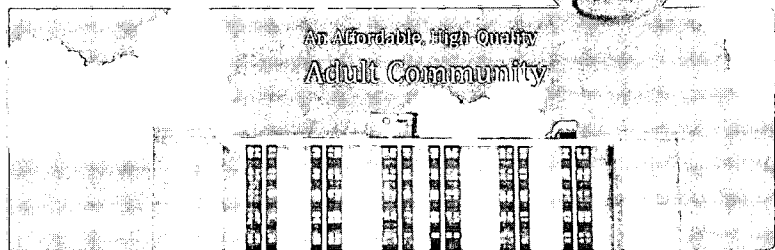
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If you live in Mercer, Burlington and Hunterdon Counties, NJ or Bucks County, PA, [call now](#) or [submit a request](#) for more information on how to apply for a *Project Freedom* adult apartment.

What Is Project Freedom?

Project Freedom is a non-profit organization that develops and operates housing programs so that individuals with disabilities can live independently. The Trenton facility offering 43 single and 9 double bedroom apartments is an accessible and environmentally friendly gated building in collaboration with Trent Center Senior Living Community.

Environment friendly: The building has solar panels to help generate electricity for common area lighting, and has also received aid from the State of New Jersey Green Homes Program to use "green" materials for finishes like carpet, floor tiles, kitchen cabinets, ceiling tiles etc.

Barrier-free living with access to extended support: Project Freedom is not a nursing home, assisted living or a medical facility and does not provide supervision or personal assistance. However, Trent Center gives you access to [senior living resources](#) that provide valuable assistance with housekeeping and recreational activities at affordable rates.

Subsidized lease arrangements: The apartments are administered through a lease and applicants must have an annual income under \$22,000 for a single person to be considered. Although these **apartments** are specially designed to allow independence for people (18 to 55 years) using wheelchairs and they are given first preference, individuals and seniors with other disabilities are also welcome here.

Through its East and West Building facilities, and especially *Project Freedom*, Trent Center provides a warm and vibrant **senior living home** to seniors of all communities. Our comfortable living arrangements with access to personalized assistance allow our elderly in New Jersey and Pennsylvania to actively pursue their independent lifestyles.

[Get in touch by phone](#) or [e-mail](#) and we will arrange a tour of our happy senior living community.

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Subsidized Housing Options for Seniors

July 8th, 2010 by Staff Writer

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The government offers specially designated **subsidized housing** for seniors. In fact, often there are more residential options for seniors, making it easier for seniors to find available housing and receive government subsidy benefits.

Subsidized Housing Explained

Subsidized housing differs more than public housing. Public housing units are owned directly by the government and offered free or at extremely low rents to low-income individuals and families. In contrast, in subsidized housing the government pays a portion of rent to a private entity or landlord that owns the building or apartment. The subsidy program is often referred to as "Section 8", and is governed by the United States Department of Housing and Urban Development (HUD). The HUD has set specific rules to be eligible for subsidy benefits which can be found on their website or at your local housing authority office. An individual must be over 55 to be eligible as a senior.

Option: Individual Apartment

All eligible subsidy beneficiaries are eligible to find and rent a privately run apartment, provided the landlord agrees to abide by the program rules. Seniors are not exempt from this option, meaning that they can choose to find a new apartment willing to receive the government subsidy or ask their current landlord and stay in their residence. The HUD website offers a search tool free of charge to locate privately owned

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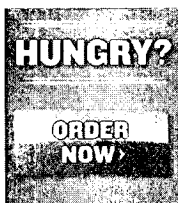
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and stay in their residence. The HUU website offers a search tool free of charge to locate privately owned subsidized apartments available throughout the country. You can narrow your search by state and city to make it more precise. Your local housing authority should also have a list of properties.

Option: Accessory Apartments

An accessory apartment is a unit that has been created inside or added onto a single-family house in which the senior's living quarters are separate from the main house. These units permit a senior to live independently but have assistance or even family members nearby. These units are not available in all states and often require special zoning.

Option: Adult Family Care Homes

Adult family care homes offer seniors unable to live on their own the option to live with a caretaker. The senior is able to make determinations about their lifestyle and care received and still maintains a degree of independence. The home itself is typically sponsored and managed by an agency licensed by the local department of senior services.

Option: Assisted Living Residences

Assisted living facilities, sometimes called "Continuing Care Facilities" are residences licensed by your state's department of health and senior services offering a mix of living and healthcare services. Residents of these communities are sometimes able to live in their own apartment but receive care and assistance according to their needs. Similar to these facilities are comprehensive personal care homes, in which residential units are often occupied by more than one resident. Your local department of senior care and maybe your housing office may be able to provide you with a list of government approved residences.

Because of the common need for health care, there are often more options for government subsidized apartments for seniors. If you are or know a senior searching for one of these units, contact your local department of senior care to obtain a list of senior-specific subsidized housing.

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2 Responses to "Subsidized Housing Options for Seniors"

CHARLES KENNEDY says:

July 11th, 2010 at 11:26 am

WE HAVE A NEW DIRECTOR. HE STILL NEED 2 MONTHS TRAINING AND HAS ALREADY WORKED TO CHANGE THE LEASE. HE WANTS NOTHING TO BE ON INSIDE SILLS OF ANY APT. ANYTHING SEEN EVEN BACK FROM SILLS MUST BE REMOVED. OLDER PEOPLE NEED FLOWERS ETC. HE WANTS DRAPES @ BLINDS ONLY. HE REFUSES TO SPEAK TO ANYONE.

WE HAVE BIKE RACKS. ONE WAS FULL AND HE KNOCKED ON DOOR @ TOLD A TENANT HE HAD TO TAKE HIS INDOORS IN A VERY SMALL APT. JUNE 21ST HIS RULES BECAME OFFICIAL. ARENT SILLS INSIDE OUR APT PERSONAL AREA? HE WAS CHOSEN BY OUR SOCIAL WORKER, WHO NOT ONLY DOES NOT BELIEVE IN GOD BUT HAS SAID A FLAT "NO" WHEN SOME OF US NEEDED HELP. SHE IMAGINES SHE IS DISLIKED AND TELLS MAINTENANCE AND THE TENANTS NOT TO TALK TO A TENANT SHE SINGLES OUT.

CHARLES KENNEDY Says:

July 11th, 2010 at 11:37 am

YOU WROTE BACK I HAD ALREADY SAID WHAT I SAID...

THANK YOU. I ASSUME SOMEONE ALIVE IS THERE.

A LOT OF US THINK MAYBE IT IS WRONG TO GET RID OF PLANTS AND SUCH.

MAYBE WE JUST HAVE TO DO WHATEVER HE SAYS.

IF THIS IS SO I AM SORRY TO HAVE BOTHERED YOU.

DO HAVE A NICE WEEK COMING UP. IF YOU ARE A VOLUNTEER, GOOD FOR YOU. I HAVE

OVER 40 AWARDS AND 2 PROCLAMATIONS. TO HELP OTHERS IS A JOY, AND A MUST.

UNFORTUNATELY HERE AT GATEWAY WE VOLUNTEER NOT. I AM LUCKY TO VOLUNTEER

AWAY FROM HERE. IT IS A HEART BREAKER TO SEE SOME WHO ARE TOTALLY ALONE



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AND NEED A SMILE AND LAUGHTER AND TOLD NOT TO HELP THEM.. THANK YOU..

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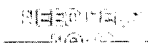
Jewish Home News

Fourteen Centenarians Celebrate Birthdays With Youthful Memories

At a Birthday Party November 29 at Jewish Home Lifecare's Bronx Division

Murray Bernstein celebrated his 100th birthday this year, and says one of his oldest and fondest memories is of getting a speeding ticket when he was 17. His \$2.00 ticket was for "galloping" a team of horses through Central Park.

At 100, Elmira Lawrence also recalls driving as one of her favorite memories. "I was 21 behind the wheel of a Ford and for the first time I felt all grown up."



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21 behind the wheel of a Ford and for the first time I felt all grown up."

For Loretta Hodge, who is also 100 this year, her favorite memories are of singing in the church choir for 53 years, surrounded by friends and neighbors, many of whom still call and visit her in her Bronx apartment.

A birthday party in honor of 14 Bronx centenarians will be held Monday, November 29, at 2:30 in the Saltzman Gallery at the Bronx Division of Jewish Home Lifecare on Kingsbridge Road. Mr. Bernstein is a tenant at Kittay House, Jewish Home Lifecare's independent **senior living quarters** on Webb Avenue; Elmira Lawrence is a resident of Jewish Home's 816 bed nursing home on Kingsbridge Road and Loretta Hodge is a client in the Adult Day program, also on Kingsbridge Road.

Each of these centenarians demonstrates a sense of humor and an ability to adapt, which may contribute to the state of their health at 100.

Bernstein, born July 23, 1910, is a retired owner of a shoe store, a former shoe salesman at Bergdorf Goodman, and now a widower after 63 years of marriage to his wife, Harriet, who died at 87. Although he no longer keeps up with current events because he is hard of hearing and vision impaired, he is still a bit of a flirt. He spends his day delivering the daily newspapers, and "eating and kibitzing" with his neighbors at Kittay House, a 300 apartment senior living complex on Webb Avenue.

Elmira Lawrence, born March 11, 1910 in Montgomery, Ala. said she attributes her longevity to the fact that she has always been "sassy and tough and always the boss!" She remembers picking cotton, fishing and cooking outdoors, getting married and raising her children while always "taking orders from no one."

Loretta Hodge, born June 26th in St. Thomas, VI, spent five days on a ship coming to the United States to live with her sister and work as a domestic, for a time, she said, for Patrick O'Neal and Bette Davis. She remembers sadly the assassinations of John and Bobby Kennedy and Martin Luther King, who were all "good men." She attributes her longevity to a "happy, go lucky attitude," "an ability to get accustomed" to life's challenges and to "get along with people by being kind and helpful to those in need."

"Many of the people I have met and helped over the years, now call, visit me and help me out occasionally, and that is a great comfort to me," said Ms. Hodge.

Contact: Harriet Rosenberg (914) 864 5651

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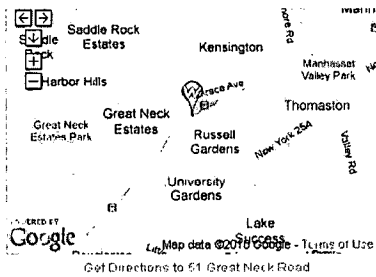
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AMC Delancey expanding into living quarters for seniors

Premium content from Philadelphia Business Journal - by Natalie Kostecki
Date: Monday, September 8, 2008, 12:00am EDT - Last Modified: Friday, September 5, 2008, 8:03am EDT

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AMC Delancey Group Inc. has formed a division that will focus solely on developing senior living residential communities, hoping to seize on one aspect of the aging baby boomer market.

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Senior Citizen Housing Options

By Glende Taylor, eHow Contributor
updated: September 30, 2010

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Senior Citizen Housing Options possible.

As a large segment of the American population moves into its senior years, the need for adequate housing rises. With increased medical requirements and decreased mobility, housing options must be flexible enough to provide a safe living environment. Premature admission into nursing homes exhausts personal savings as well as taxpayer-funded Medicare and Medicaid programs, so the trend is towards helping a senior stay out of a nursing home facility for as long as

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Types

Various options exist for seniors who no longer feel comfortable living in a traditional home. Retirement communities offer single or multi-residence units, often with a common area for recreation. Many nursing homes feature assisted living arrangements with separate living quarters for seniors who need minimum care. In addition, they may offer special care units for dementia patients. In this way, residents can live with other residents that require a similar amount of care.

Features

With the expected increase in retirees who need some help but do not qualify for assisted living status, nursing homes are expanding their options by offering independent living arrangements, often in the form of duplexes or triplexes, designed to meet changing mobility requirements. These units meet Americans with Disabilities (ADA) requirements. In addition, private independent living cooperatives are springing up, allowing seniors to purchase a unit that returns to the cooperative when the senior vacates.

Features

Today, Housing and Urban Development (HUD), in cooperation with the National Council on Aging (NCOA), provides a variety of services to enable seniors to remain in their homes as long as possible. Two popular options include home remodeling and reverse mortgages. A reverse mortgage is a special contract where the homeowner sells his home to a lender but instead of receiving a lump sum, the lender pays the owner for the home in monthly installments. During this time, the owner may still live in the home. When the owner vacates the home, the lender will take possession and pay the remaining balance to the homeowner or to his estate.

Considerations

The Housing and Community Facilities Program (HCFP) helps low income seniors find low-interest loans that allow them to live in suitable housing. Under HUD regulations, senior housing must meet ADA requirements before the property owner will receive subsidies for housing seniors. In addition, the United States Department of Agriculture (USDA) provides loans and community grants for the development of senior housing in rural areas (see Resources).

Potential

With expanding home health initiatives, Meals on Wheels and other support programs that enable family caregivers to look after an elderly relative in her own home, fewer seniors are entering nursing homes until there is no other option. A HUD counselor is available in every state to speak with senior citizens and their families and help them find the services they need (see Resources).



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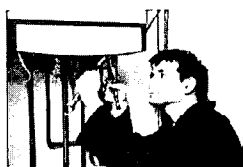
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Housing

Tri-County supports a variety of affordable housing and transitional housing initiatives

Tri-County's Housing Department has two houses for purchase in its Wesley II Development located in Southeast Bridgeton. If you meet the following criteria please make an appointment to come to our Bridgeton office to discuss your options.


These affordable houses are for borrowers who meet the following:

- Must have a least one dependent.
- Meet the income guidelines (below).
- Must have workable credit/able to secure mortgage.
- Must have funds for down payment and closing costs.
- Must attend seven weeks of homeownership training.

Deadline for applications for these homes is February 16

This spacious rancher is part of the Wesley Village Development.

Tri-County offers families various choices for Affordable Housing. If you have general questions, please EMAIL [HERE](#) FOR INFO.



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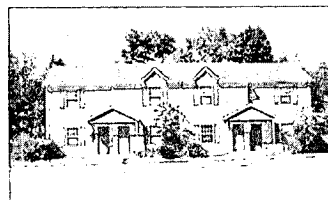


Income Guidelines for Wesley II Homes

2 person	3 person	4 person	5 person	6 person	7 person	8 person
\$30,000	\$33,600	\$37,200	\$40,800	\$44,400	\$48,000	\$51,600

Parvin's Branch Townhomes

The multi-unit Parvin's Branch townhouse complex is located in Vineland and offers families the opportunity to rent at market rates or purchase outright. For information call 856-507-0790.



Spring Gardens Senior Housing

The 125-unit affordable apartment complex for residents age 62 and older located in Vineland known as Spring Gardens provides quality living quarters for seniors and houses Tri-County's Alzheimer's/Adult Day Care Center. For information, call 856-507-0790.



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The Mature Traveler

The French Like Seniors Too

August 25, 1996 | HANK KOVELL

Hotel discounts for mature travelers are not as widespread in some foreign countries as they are in the United States. However, the four-star Normandy Hotel in Paris is offering an attractive three-night package for travelers over 50 at a 30% discount off regular rates. With the discount, guests pay about \$90 per night. The Normandy is located near the Paris Opera and the Louvre museum. The package is for two guests and includes a double room, daily buffet breakfast, bus tour of Paris, tickets to a film on the history of Paris, a pass valid in most museums and service charges and tax. The offer is good through 1996. For a brochure and information, call (800) 223-9832.

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For the Record

Los Angeles Times Sunday September 1, 1996 Home Edition Travel Part L Page 2 Travel Desk 1 inches; 31 words Type of Material: Correction

The Mature Traveler--Due to a reporting error, the rate given for a three-night package at a Paris hotel was incorrect in the Aug. 25 column. The correct discounted rate at the Normandy Hotel is \$279 per room per night, not \$90.

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The Emma Nevada house located in Nevada City near Auburn, Calif. (150 miles east of San Francisco), is a Gold Rush era bed-and-breakfast inn that is offering a 15% discount for guests over 55 Sundays through Thursdays. Regular rates range from \$110 to \$150 per night, depending on room size and location. The offer is not valid in December. For a brochure and information, call (800) 916-3662.

Visitors to Disney World and Epcot Center can enjoy Resort World Vacation Villas that offer spacious living **quarters for seniors** and grandchildren in units equipped with kitchens, washers and dryers, cable TV, stereo and video entertainment centers, and daily maid service. Some units have private Jacuzzis. Resort World also has three heated swimming pools, a children's pool, night-lighted tennis courts, racquet-ball courts, free bicycles, fitness center, whirlpools spas and saunas, plus free video and game room. Nearby are grocery stores, restaurants and shopping.

The following attractions are less than an hour's drive by car: Disney World, Epcot, MGM Theme Park, Sea World, Universal Studios, Church Street Station or Cypress Gardens.

Seniors receive a 20% discount off rates on the following units until Dec. 22: three-bedroom, two-bath units that can sleep eight, \$175; a two-bedroom, two-bath unit, which sleeps six, \$142; and a one-bedroom, one-bath unit, which sleeps four, \$108. For a brochure, call Resort World Vacation Villas at (800) 423-8604.

La Costa Resort, which is 30 minutes north of San Diego, is offering a discount package that seniors will appreciate. The package, which is valid Sunday through Thursday until Dec. 31, is priced at \$119 per person per day on a double-occupancy basis. Added up separately, the program would usually cost more than \$600 per person. The discount package includes:

- * Accommodations in a courtyard room.
- * 18 holes of golf daily, including cart and use of the driving range.
- * Unlimited use of La Costa's tennis courts and admission to tennis clinics.
- * Unlimited use of the La Costa Spa facility, including steam rooms, saunas, Swiss showers, whirlpools.

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* Unlimited use of the La Costa Spa facility, including steam rooms, sauna, Swiss showers, whirlpools, lockers, fitness center equipment, and exercise and aerobics classes.

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Article Excerpt

Sue Clark's pet ministry started serendipitously in an Oshkosh, Wis., restaurant five years ago. Clark, a traveling sales representative at the time, overheard an elderly woman tell her son how much she missed the family dog.

When the son asked his mother whether she was ready to return to the nursing home, Clark felt a tremendous urge to make the woman smile. And sitting next to Clark in the booth were her pet Chihuahua Pelita and the newborn pups from Pelita's first litter.

Clark approached the woman and placed the bag of puppies gently on her lap. "She just beamed," Clark recalled. When Clark was in the area, she visited the woman again.

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"It all started so spontaneously," Clark said. "If I was early for an appointment in Wisconsin or southern Minnesota"--the area in which she sold clothing and jewelry for 20 years--"I'd check out the nursing home and care facilities in the area and stop in with the dogs."

By now a few hundred seniors and a number of handicapped persons have met Petita, age 7, her daughter Pansy, age 5, and the newest member of her "Angels 3" trio, son Pongo, age 3. Clark takes the threesome everywhere. Increasingly that means the pets go to hospitals, nursing homes, memory care units, senior centers and rehab facilities.

She also does home visits to adults and children. Since her husband died in 2003 and her clothing firm folded, Clark and her mother have moved to the Twin Cities, where she has a daughter and a granddaughter.

Last year she brought her love of people and pets to Visiting Angels, a national agency, serving seniors who want to live independently in their own homes, but need help. As a personal care attendant, Clark spends most mornings helping seniors bathe and dress, preparing meals, doing light housekeeping and driving clients to doctors' offices or the hairdresser. She also reads to those who can't see.

Of course Angels 3 are never far away and often lift the spirits of a client who is disabled, ill or lonely, she said. Recently the dogs attended a funeral of one of Clark's clients in a Presbyterian church. The client's daughter said her mother was so taken with the dogs she requested they be at her funeral.

The pets are also popular with Jewish residents at a nursing home in St. Louis Park, Minn., where--wearing bandanas decorated with the Star of David--they helped seniors celebrate Hanukkah.

Despite their cross-denominational ministry, Clark insists: "These are Catholic dogs." And she has two priests who will vouch for their peaceful presence in the pews every Sunday. Most recently they've become members of St. Joseph's Parish in Hopkins, Minn., where Clark now lives.

The only thing that's not Catholic about them is that Petita--mother of 11 and grandmother of nine--is "not monogamous." The sires of her litters have been Contra Billy the Third, who produced Pongo and Tank, a longhaired Chihuahua who resembled a tank and fathered Pansy.

The dogs do more than attend the annual St. Francis Day blessing of the animals. They remain quiet in their mesh, see-through basket throughout the entire liturgy--during the homily--and even when I sing," said Clark, a member of St. Joseph's choir.

After Mass they entertain parishioners outside the church, especially Pongo, whom Clark maintains has musical talent. While Clark was singing one day, she discovered the puppy would try to sing along or at least carry a tune in the same key that Clark had just sung. With a few rehearsals, Pongo was roadworthy.

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One of the pets' favorite visiting venues is at Epiphany Community in Coon Rapids, Minn. The 50 assisted living and 14 memory care units opened just over four years ago, alongside 107 apartments in The Pines independent living **quarters for seniors**.

The entire complex is an outgrowth of the Church of the Epiphany, which...

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TO READ OFFICE ACTION: Click on this **link** or go to **<http://portal.uspto.gov/external/portal/tow>** and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable **response time period**. Your response deadline will be calculated from **1/9/2011** (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System Response Form.

HELP: For *technical* assistance in accessing the Office action, please e-mail **TDR@uspto.gov**. Please contact the assigned examining attorney with questions about the Office action.

WARNING

Failure to file the required response by the applicable deadline will result in the ABANDONMENT of your application.